UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA.

-against-

Case No. 16-cr-371 (RA)

JASON GALANIS, et al.,

NOTICE OF MOTION

Defendants.

PLEASE TAKE NOTICE that upon the annexed memorandum of law, and upon all prior proceedings herein, Defendant Gary Hirst ("Hirst"), by his attorneys, Sher Tremonte LLP, will move this Court before the Honorable Ronnie Abrams, United States District Judge for the Southern District of New York, sitting at the Thurgood Marshall United States Courthouse, 40 Foley Square, Courtroom 1506, New York, New York, on the 12th day of February at 9:00 am, or as soon as counsel can be heard, for an order severing Hirst's trial from the trial of all other Defendants in this action.

Dated: New York, New York January 16, 2016

/s/ Michael Tremonte

Michael Tremonte Noam Biale Emily Burgess Sher Tremonte LLP 90 Broad Street, 23rd Floor New York, NY 10004 (212) 202-2600

To: Geoffrey S. Berman, Esq. United States Attorney Southern District of New York 1 St. Andrew's Plaza New York, NY 10007 ATTN: Rebecca Mermelstein, Esq. Assistant United States Attorney